

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GENOMETRICA RESEARCH, INC., and the
Research Foundation of the State University of
New York pursuant to Article VII of its exclusive
License Agreement with
GENOMETRICA RESEARCH, INC.

Plaintiffs,

-against-

BORIS GORBOVITSKI, VERA GORBOVITSKI
a/k/a VERA GORFINKEL, and ADVANCED
BIOMEDICAL MACHINES, INC.,

Defendants.

CASE CV-11-5802 (PEC-AKT)

**DEFENDANTS' NOTICE OF DEPOSITION TO PLAINTIFF GENOMETRICA
RESEARCH, INC.**

Defendants designate Ralf Vayntraub, Principal Officer of Genometrica Research, Inc.

PLEASE TAKE NOTICE that Defendants' will take the deposition of Plaintiff, pursuant to Rule 30 of the Federal Rules of Civil Procedure, at the Veritext Reporting Co., 1250 Broadway, New York, NY 10001 beginning at 10:00 a.m. on August 21st, 2013, or at such other date and time as may be mutually agreed, with regard to the subject matters set forth below. The deposition(s) will be recorded stenographically before a certified court reporter or other person authorized by law to administer oaths and may be videotaped before a certified videographer.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 30(b)(6), Defendants have designated Ralf Vayntraub who must testify on the subject matters relevant to the claims in the above captioned matter.

PLEASE TAKE FURTHER NOTICE that the designated witness, Ralf Vayntraub, must provide testimony regarding the information that is known to Genometrica Research, Inc, and also regarding all information that is reasonably available to the Genometrica Research, Inc.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rules 30 and 34, to the extent the persons you designate to testify will rely upon any documents or non-privileged materials, for purposes of preparation or otherwise, you must produce all such documents and materials within 30 days of the date of this notice, and in all instances within a reasonable time in advance of the date scheduled for the testimony.

Dated: New York, New York
June 18, 2013

By: /s/William V. Rapp
William v. Rapp, Esq.
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Attorney for Defendants

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AFFIRMATION OF SERVICE

WILLIAM V. RAPP, an attorney duly admitted to practice law before the Federal
District Courts of the Eastern District of New York, affirms under penalty of perjury as follows:

I am over 18 years of age and not a party to this action. On June 18, 2013, I served the
within annexed Notice of Deposition upon The Law Offices of P.B. Tufariello, P.C., by
electronic mail and by overnight mail addressed to, The Law Offices of P.B. Tufariello, P.C., 25
Little Harbor Road, Mt. Sinai, NY 11766 and by electronic mail and overnight mail addressed to:
Hofheimer Gartlir & Gross, LLP, Robert J. Kenney, Jr., 530 Fifth Avenue, 9th Floor, New York,
NY 10036.

/s/William V. Rapp

William V. Rapp, Esq.

Affirmed:
June 18, 2013
New York, New York